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8
9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 CLARA ELENA HUERTA
12 RAMIREZ,

13 Plaintiff,

14 vs.

15 COSTCO WHOLESALE CORPORATION;
16 MANNY DOE 1; and DOES 2 to 100
17 Inclusive,

18 Defendant(s).

CASE NO. 2:24-cv-02779-DJC DMC

*[Assigned to Daniel J. Calabretta District
Judge]*

19 **STIPULATION AND ORDER TO CAP
PLAINTIFF'S DAMAGES AND REMAND
TO STATE COURT**

20
21 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the
22 above-entitled action and their respective counsel, as follows:

23 *Whereas* this matter was initially filed in the Superior Court of California, County of Butte,
24 Case No. 24CV03131 on September 19, 2024. Defendant COSTCO WHOLESALE
25 CORPORATION removed this matter to this Court based upon diversity jurisdiction on October
26 8, 2024.

27 *///*

Whereas Plaintiff, by and through her counsel, agrees that the amount in controversy does not exceed Seventy-Five Thousand Dollars (\$75,000.00) and hereby agrees to cap her total damages at no more than Seventy-Five Thousand Dollars (\$75,000.00). Plaintiff further agrees that this stipulated cap on damages applies to any and all damages which she may claim, that she shall not ever request or suggest to any judge nor jury that the value of her damages exceed Seventy-Five Thousand Dollars (\$75,000.00) collectively, and that the damages cap and this stipulation applies equally to Butte County Superior Court Case No. 24CV03131.

Whereas, based upon the stipulations above, the amount in controversy does not exceed the jurisdictional minimum for Federal Court diversity jurisdiction, the parties agree to remand back to Butte County Superior Court, Case No. 24CV03131.

The parties agree to bear their own fees and costs associated with the proceedings in this Court, including removal and/or remand of this action.

SO STIPULATED.

Dated: April 2, 2025

MAIRE & DEEDON

/s/ Patrick L. Deedon
PATRICK L. DEEDON
JOHN R. POWELL
Attorneys for Defendant,
COSTCO WHOLESALE CORPORATION

Dated: April 2, 2025

CULVER LEGAL, LLP

/s/ Anastasia Gkogka
ANASTASIA GKOGKA
Attorneys for Plaintiff,
CLARA ELENA HUERTA RAMIREZ

ORDER

The Court, having considered the stipulation of the parties and matters contained therein, and for good cause shown, hereby **ORDERS** as follows:

1. This action is **REMANDED** to the Superior Court of California, County of Butte, Case No. 24CV03131.
2. All deadlines, hearings and other dates in this matter are **VACATED**.
3. Each party shall bear their own costs and attorneys' fees incurred in connection with the removal and remand of this action and other proceedings in this Court.
4. The Clerk of Court shall serve a copy of this order on the Superior Court of California, County of Butte

IT IS SO ORDERED

Dated: April 7, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE